

Attorneys Listed on the Following Page

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

MARY ANN ADLAO, and MARIAN  
WILLIAMS, individually, on behalf of others  
similarly situated, and on behalf of the general  
public,

Plaintiffs,

vs.

JPMORGAN CHASE & CO.,  
JPMORGAN CHASE BANK, N.A., and  
EMC MORTGAGE CORP., as successors in  
interest to BEAR STEARNS, INC., and ENCORE  
CREDIT CORP., and DOES 1 through 50,  
inclusive,

Defendants.

) Case No.: CV 10-04508 SBA

) **STIPULATION AND ORDER STAYING OF**  
) **ALL DEADLINES PENDING MEDIATION**

) **Currently Scheduled Hearing:**

) **Date: June 21, 2011**

) **Time: 1:00 p.m.**

) **Dept.: Courtroom 1, 4<sup>th</sup> Floor**

) **Hon. Sandra Brown Armstrong**

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23 Attorneys for Defendants

24 JPMORGAN CHASE & CO., JPMORGAN CHASE

BANK, N.A., and EMC MORTGAGE CORP.

25 Attorneys for Defendants

1 Plaintiffs Mary Ann Adlao (“Adlao”) and Marian Williams (“Williams”) (together as  
2 “Plaintiffs”) and Defendants JPMorgan Chase & Co., JPMorgan Chase Bank, N.A., and EMC  
3 Mortgage Corp. (together as “Defendants”) (Plaintiffs and Defendants are referred to together as the  
4 “Parties”) hereby stipulate and agree as follows:

5  
6 1. Whereas Plaintiffs filed a motion for conditional certification under §216(b) of the Fair  
7 Labor Standards Act on March 24, 2011 (Dkt. #43), which is currently pending and held in abeyance  
8 pending Defendants’ motion to compel arbitration;

9 2. Whereas Defendants filed a renewed motion to compel arbitration on April 13, 2011 (Dkt.  
10 #46), which is currently pending and set to be heard on June 21, 2011; and

11 3. Whereas Plaintiffs’ response to Defendants’ motion to compel is due by May 27, 2011, and  
12 Defendants’ reply is due by June 3, 2011 (Dkt. #62);

13 4. Whereas a Case Management Conference is currently scheduled for June 16, 2011 at 3:15  
14 p.m.; and

15  
16 5. Whereas the Parties desire to focus their efforts and attention immediately on Alternative  
17 Dispute Resolution and determining whether a mediated settlement of this matter is possible. The  
18 Parties have scheduled a mediation in San Francisco on June 29, 2011, with a highly-experienced,  
19 neutral third party, Michael Dickstein; and

20 6. Whereas focusing on litigation of the pending motion(s) while mediation efforts are  
21 proceeding (a) is both needlessly costly and potentially counter-productive for the Parties, and (b)  
22 would potentially result in the unnecessary expenditure of judicial resources;

23  
24 THEREFORE it is hereby stipulated by the Parties that all pending motions, deadlines, and  
25 scheduled hearings and conferences in the above-referenced matter will be stayed immediately pending  
26 the completion of the currently-scheduled mediation process. Plaintiffs will notify the Court within  
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1 five (5) court days following the mediation date regarding the success or failure of mediation, at which  
2 time the Court may issue a further case and/or briefing schedule as appropriate.  
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2 Dated: May 25, 2011

Respectfully submitted,

/s/Bryan Schwartz

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14 Dated: May 25, 2011

Attorneys for Individual and Representative Plaintiffs  
Respectfully submitted,

/s/ Eric Meckley

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Pursuant to stipulation, it is so ordered.

  
Hoh. Sandra Brown Armstrong

\_\_\_\_5/31/11  
Date